

REMARKS

Claims 1-13, 15-27, and 33-38 are pending in the present application. Claims 33-37 are allowed. Claims 1-13, 15-22, 27, and 38 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1 and 38 are currently amended. No new matter is added by the present amendments, which are discussed in more detail below. Applicants thank the Examiner for the opportunity to discuss the amendments in a telephonic interview on November 27, 2007.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-13, 15-22, 27, and 38 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. It was asserted that Applicant does not clearly teach what is encompassed by "treating" or "enhancing."

Without acquiescing in the rejection, Applicants have amended Claims 1 and 38 to clarify that treating and enhancing, respectively, are in comparison to untreated protein. Support for these amendments can be found, for example, throughout the claims and specification as filed, including Paragraph [0034]. As discussed in the interview, Applicants believe that the requirements of 35 U.S.C. § 112, first paragraph have been met and respectfully request withdrawal of the rejections.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

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Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance and request the same. If, however, some issue remains that the Examiner feels can be addressed by Examiner Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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